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SCHWABE, WILLIAMSON & WYATT, P.C.
PACWEST CENTER, SUITE 1900
1211 SW FIFTH AVENUE
PORTLAND, OR 97204

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| EXAMINER |
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BASHORE, WILLIAM L

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| ART UNIT | PAPER NUMBER |
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2176

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 02/01/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/664,578

Applicant(s)

RODERICK, STEPHEN C.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-7,9-11,13,14,18-20,23 and 25-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-7,9-11,13,14,18-20,23 and 25-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: Request for Reconsideration (hereinafter the Request) filed 11/16/2006, to the original application filed 9/18/2000, IDS filed 1/4/2002. Application is a continuation of U.S. Application serial no. 09/228,259 filed 1/11/1999 (now U.S. Patent No. 6,122,648).
2. Claims 3-7, 9-11, 13-14, 18-20, 23, 25-35 pending. Claims 27, 29, 31 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27, 29, 31-35, 3-4, 6-7, 13-14, 18, 23, 28 are rejected under 35 U. S. C. 103 (a) as being unpatentable over Blinn et al (5,897,622), in view of Nazem et al (5,983,227), and in view of Bijnagte (5,235,680) (said three references listed on Applicant's IDS), and further in view of Wolff (6,247,047).

As per independent apparatus claim 27 (and similarly, method claim 29, and storage medium claim 31), and dependent claims 6, 28, 30, 32, Blinn discloses processing queries, including the dynamic generation of web pages (see columns 3-4), in which a page is composed for display by processing a template having a request for information from an order.

Refer also to Blinn's figures 1, 2, 3A, 3B, 5, 10, 12, 14, in which various embodiments illustrating the operation of the dynamic page generator are disclosed, including a processor, storage device, presenting (i.e. provisioning) information to a user etc.. It is, noted that Blinn fails to disclose:

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(1) dependence upon whether or not the page already exists;

(2) "product identifier".

However, Nazem discloses (see abstract, figure 2) a user template that is either generated from user preferences or retrieved from a cache of recently used user templates.

Bijnagte discloses communicating real estate information (a form of product, hence a product identifier) between a host computer and a remote display terminal (see abstract). It is noted that Bijnagte's disclosure is directed toward providing real estate information (listings of real estate properties), and in view of Blinn's disclosure of processing merchant information (see columns 7-12, e.g., column 10, lines 5 et seq--The merchant system 120 provides a set of HIML, pages dynamically generated from queries to a database 121 having store information, such as inventory data, advertising copy, product images, pricing, customer information and promotions.) One of ordinary skill in the art would be motivated to process queries that include said product identifiers, in order to help the user to narrow searches.

It would have been obvious to one of ordinary skill in the art to combine the inventions to Blinn, Nazem, and Bijnagte in arriving at the instant invention because it would be faster to transmit a page that already exists (as in the use of Nazem's cache) rather than always re-create pages that already exist (as in Blinn's invention). It would have been obvious to one of ordinary skill in the art to apply Blinn and Nazem to the field of real estate marketing (as in Bijnagte's invention) because it was well known at the time of the invention to provide such information on the Internet. It would also allow realtors to provide custom templates for individual clients for the purpose of showing properties.

In addition, although Blinn teaches a URL with a server and various identifiers (Blinn column 7 lines 14-26), Blinn does not specifically teach a product identifier immediately following a server name (separated by a separator). However, Wolff teaches a URL banner with a server name (www.bannerbuy.com) with a unique product identifier immediately appended after said server and separator (www.bannerbuy.com/12345) (see Wolff Figure 2 item 104, also Abstract, and column 8 lines 35-55). It would have been obvious to one of

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ordinary skill in the art at the time of the invention to apply Wolff to Blinn, providing Blinn the benefit of adaptation to various typical types of URL resource calls..

As per dependent claims 3-4 and 7, (and similarly, claims 13-14, 18, and 23, 33), it is noted that Blinn fails to teach details of "real estate identifier". However, it would have been obvious to one of ordinary skill in the art at the time of the invention to teach such details in view of Bijnagte's disclosure, which is directed toward providing real estate information, and in view of Blinn's disclosure of processing merchant information (see columns 7-12, e.g., column 10, lines 5 et seq--The merchant system 120 provides a set of HIML, pages dynamically generated from queries to a database 121 having store information, such as inventory data, advertising copy, product images, pricing, customer information and promotions.) One of ordinary skill in the art would be motivated to process queries that include "ISPID", etc., in order to help the user to narrow searches.

As per dependent claims 34-35, Blinn teaches querying a database stored locally (Blinn column 6 lines 25-30). In addition, both Blinn and Wolff teach a URL with a server and various identifiers querying remote sources (see the rejection of claim 29 above).

5. **Claims 9-11, 19-20, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn et al (5,897,622), Nazem et al (5,983,227), Bijnagte (5,235,680), and Wolff as applied to claims 27, 29, 32 above, and further in view of Anderson et al (5,974,396) (listed on Applicant's IDS).**

As per dependent claims 9-11, 19-20, and 25-26, it is noted that Blinn, fails to disclose "compiling and maintaining statistics" based on the marketing code or "report function". However, refer to Anderson's abstract; figures 1, 6, 12A, and 13; and columns 5-12. Anderson discloses gathering and analyzing customer and purchasing information based on buying habits, needs, demographics, etc. Anderson's system is used to generate

reports in response to retailer queries. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Anderson with those of Blinn, Nazem, Bijnagte, and Wolff in arriving at the instant invention because it would allow realtors to conveniently gather demographic details and other marketing data for their clients and for the realtors themselves.

6. **Claim 5 is rejected under 35 U. S. C. 103 (a) as being unpatentable over Blinn et al., Nazem et al, Bijnagte, and Wolff as applied to claim 27 above, and further in view of Kirkevold et al. (6,263,322).**

As per dependent claim 5, Blinn et al. does not specifically teach a VIN code. However, Kirkevold et al. teaches querying via VIN code (Kirkevold et al. column 17 lines 35-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Kirkevold et al. to Blinn et al., providing Blinn et al. the benefit of vehicle identification as part of resource identifiers, to broaden the scope of querying.

Response to Arguments

7. Applicant's arguments filed 11/16/2006 have been fully and carefully considered but they are not persuasive.

Applicant argues on pages 2-4 of the Request that the art of record does not teach a URL immediately followed by a separator immediately followed by an identifier. The examiner respectfully disagrees. Wolff at Figure 2 item 104 clearly shows a URL banner with a server name (www.bannerbuy.com) with a unique product identifier immediately appended after said server and separated by a separator (www.bannerbuy.com/12345). This teaching is further bolstered by Wolff Abstract, and at Wolff column 8 lines 43-50 - "*Embedded within banner 102 is the URL of host server 12 (e.g., "www.bannerbuy.com") and a unique indicia (e.g. "12345") identifying the product or service being advertised. The indicia is appended to the end of the URL*

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(e.g. "*www.bannerbuy.com/12345*"), and the URL is linked to banner 102." (italics added). It is the examiner's opinion that the above clearly teaches said identifier as a component of a URL. Even if this teaching were to be interpreted otherwise (the examiner does not admit this), the skilled artisan is at least cognizant that URL address queries commonly comprise either an appended identification number, or some form of trigger parameter appended to the end of a base URL (separated by a "/" separator). The base URL, along with the appended parameter/ID, forms a complete URL address.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William S. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

January 30, 2007